

BACKGROUND:

On April 3, 2020, the Federal Highway Administration (FHWA) issued a notice (<https://www.fhwa.dot.gov/media/noe.cfm>) allowing States to permit the temporary use by Commercial Food Vending Trucks (food trucks) in Safety Roadside Rest Areas (SRRA) to serve commercial truck drivers and other users during COVID-19 Presidentially-declared state of emergency.

On April 16, 2020, California Governor Newsom signed an Executive Order (N-52-20) suspending the statutory restrictions associated with vending in SRRAs for a period of 60 days to allow food vending serving commercial truckers. The EO also authorizes Caltrans to issue and administer temporary permits allowing commercially licensed food truck vendors that otherwise are in compliance with state and local licensing and permitting requirements to operate and sell food in designated SRRAs.

The food trucks can operate “to-go” food vending, in accordance with State and local laws, in SRRAs. By federal and State statutes, commercial activity in SRRAs is prohibited with limited exceptions. This temporary relief from these federal and State statutes is necessitated by the closure of restaurants and other food providing establishments due to COVID-19 health crisis. Commercial truck drivers are critical to transport and provide essential goods to our communities. These commercial truck drivers can get the needed rest and food at the SRRA, while restaurants and other food providing establishments are closed.

The following guidance is provided for Caltrans staff and any encroachment permit applicants (food truck operators) for the temporary and limited use of Caltrans SRRA for vending food to SRRA users. Food trucks will be permitted to operate and sell “to-go” food for the duration of 60 days as mentioned in the EO.

GENERAL CRITERIA:

- No more than 3 food trucks are allowed at each SRRA.
- The temporary encroachment permit (permit) will be issued on a first come, first served basis. If multiple food trucks operators request at the same time, the food trucks will be permitted on a rotational basis with each truck vending for maximum of three days in each rotation.
- Each truck can only operate within the locality for which they are licensed and permitted by the local health inspector and for which they hold a business license.
- The food truck operators must have all approvals/permits/licenses needed from local regulatory authorities to conduct food vending in the jurisdiction of the SRRA.

PERMITTEE ROLES AND RESPONSIBILITIES

Process:

- Submit a complete Standard Encroachment Permit Application Package, including all submittals, by e-mail to the Local District Encroachment Permit Office. Contact information is available at:
<https://dot.ca.gov/programs/traffic-operations/ep/district-contacts>.
Additional resources can be found at: <https://dot.ca.gov/programs/traffic-operations/ep/applications>
- Application package will be reviewed and if complete, permit will be Issued.
- Notify the State's representative identified in the permit at-least 24 hours ahead, before planned initiation of vending operations.
- Maintain the assigned site at the SRRA clean and follow all the requirements in the permit.
- After permitted operations are terminated, clean and restore the site to pre-existing condition.

Submittals:

- A complete Standard Encroachment Permit Application Package (available at: <https://dot.ca.gov/programs/traffic-operations/ep/applications>)
- Name and location of the proposed SRRA facility to be used. A vicinity Map identifying the SRRA and desired location in the SRRA for operating the vending facility (food truck or other mobile facility). Google map or similar that can help identify the location will suffice.
- Pictures of the food truck or other mobile vending facility that will be used for vending in SRRA.
- A copy of:
 - current business license or similar document, from the local regulatory authority to operate food truck and provide food vending within the city/county jurisdiction where SRRA is located.
 - A copy of the vehicle's registration and Driver's license of the operator.
 - Certificate of Liability Insurance
- Information on operational layout to the extent feasible, such as temporary structures (containers, generators, etc.) to be placed on site etc. Tables, benches etc. for seating areas are not allowed.
- A proposed schedule showing the intended days and times of operation. Submit any updates to the proposed schedule to the State's representative.
- Name and other contact information for someone who will be on site, if different from the Permittee identified on the permit application.

Location Set-up & Operations:

- Permittee is hereby advised that some of the items or works to be performed may require permits by various governmental agencies. Issuance of permit by Caltrans does not constitute approval of work within the jurisdiction of those agencies. Food truck operator must obtain required applicable permits such as Zoning and/or Use Permit, Health Permit and Inspection, Fire Permit, business permit etc., from the local regulating agencies.
- The Permittee must comply with all local and State requirements. Permittee is responsible for any violation, penalty, enforcement action, corrective action, remedial action, and any other type of consequence resulting from the non-compliance with all applicable regulatory agencies/permits' requirements.
- Permittee may only park a single vehicle, in the area authorized in the permit or by the State's representative, and only during the time the Permittee is engaged in activities authorized by this permit.
- The Permittee's vehicle must be situated such that:
 - The entire vehicle is located on a paved surface of the SRRA
 - The vehicle and personnel do not interfere with the free flow of traffic and/or pedestrians.
 - Doesn't affect the entrances, exits and movement of traffic into and through the SRRA.
 - Minimal number of parking places are occupied.
 - SRRA operations and users are not impacted.
- Following signs, large enough to read easily by customers, must be posted at the vending location: "These services are provided by an independent business vendor and is not sponsored by or related to Caltrans" and "Please keep at least 6 ft. apart – Maintain Social Distancing".
- Signs directing to the location of food truck can be posted (Only within the limits of SRRA-not allowed outside SRRA boundaries) with prior approval from the State representative, under following conditions:
 - only Sandwich boards or yard sign stakes kind can be placed where traffic (both vehicular and pedestrian) is not impacted.
 - Permittee may not attach anything to the travel way or SRRA facilities/structures (signs, walls, fences etc.) by bolt, screw or any other invasive connection type.
 - No signs are allowed to be posted on any State-owned warning guide or regulatory sign posts. Permittee is responsible for removing all location signs posted within the State right of way.
- Permittee is responsible for removing all location signs posted within State Right-of-Way. If Permittee fails to remove signs immediately after vacating the

SRRA at the expiration of permit or upon termination of the emergency, Caltrans will remove them, and the Permittee will be billed accordingly.

- No person vending from a food truck shall sell, trade, barter or otherwise deal any sort of alcoholic beverages, narcotics or other products in State Right-of-Way.
- The Permittee must not hook-up or connect into any utilities in the SRRA. The Permittee is expected to independently procure needed utility services and infrastructure like temporary lighting fixtures, etc. Existing lighting on the SRRA can be used AS-IS without any modifications.
- Permitted lighting fixtures, mirrors, reflectors, and supports must not present a glare or other safety hazard.
- No excavation or ground disturbance is allowed.
- All food trucks must be equipped with refuse containers large enough to contain all refuse generated by the operation of such vehicle, and the operator of the food truck must pick up all refuse generated by such operation before such vehicle is moved. Food waste and rubbish must be removed and disposed of in a sanitary manner as frequently as necessary to prevent the creation of a nuisance. Must be removed at the end of each day from the site. SRRA trash receptacles must not be used for dumping the waste.
- Dumping or discharging into Caltrans storm drains is not authorized under any circumstances.
- Cardboard or other material sheets must be used to prevent grease, oils etc., leaking onto the pavement.
- Appropriate and adequate care must be taken by the Food truck operator to comply with CDC and WHO guidelines with respect to COVID-19. Food truck operator is solely responsible for the health and safety of its employees.
- No additional lighting other than that required by the California Vehicle Code may be installed or operated on a food truck.
- No person on a food truck shall operate any horns, sound amplification systems or other sound producing devices when such vehicle is moving, stopped, standing, or parked.
- Permittee must not remove/relocate or block any traffic signs, deflectors, Post Mile markers, snow poles, etc.
- Permittee is responsible for restoration of all paved and unpaved surfaces that are damaged or adversely affected by Permittee's activities.
- The Permittee must not construct or place any improvement in the SRRA, which would impair Caltrans's ability to maintain, operate, use, repair, or improve any part of the transportation facility situated in the SRRA or on adjoining real property. The Permittee is responsible for promptly removing, at

its sole expense, any improvement which Caltrans identifies as a hazard to the transportation facility adjacent.

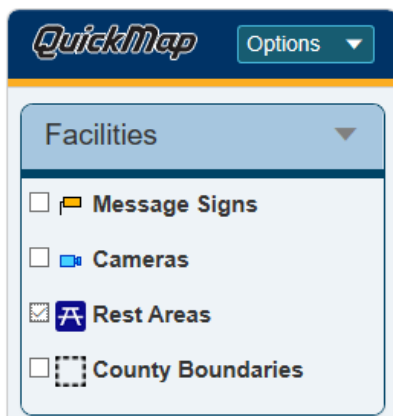
- At locations where vending machines are present, the food truck must not dispense or sell snack items available for purchase in vending machines.

ACCESSING LIST OF SRRAs AND THEIR LOCATION:

For an interactive map of Caltrans' rest areas, visit Caltrans Quick Map:

<http://quickmap.dot.ca.gov/>

Select "Rest Areas" checkbox in the Quickmap Options Drop down menu as shown below and click on Options down arrow for seeing all Rest Area locations:



On the map, you can click on the  signs to see the Name, Location and Status of individual SRRAs. Here is an example on what you see:

